

### **Aggravating Factors:**

#### Impact of Offense on Victims & Community:

1. Offense involved substantial monetary loss;
2. Offense caused substantial physical or psychological injury to the victim;
3. Domestic Offenses: offender has engaged in similar conduct more than once;
4. Sex offenses: two or more victims charged and convicted in current offense.
5. Sex offenses: indiscriminate choice of victims.
6. Demonstrated lack of cooperation with less restrictive sanctions.

#### Offender's Risk & Needs:

1. A validated mental health, psychological, psychosexual, or psychiatric evaluation indicates current treatment needs cannot be met in a community-based setting;
2. Demonstrated willful failure to attend or participate in appropriate educational or vocational programs;
3. Demonstrated willful failure to obtain and/or maintain verifiable lawful employment;
4. Demonstrated regular association with individuals engaged in criminal and/or unlawful behavior;
5. Demonstrated continuation of exploitive, aggressive or harmful behavior toward others.

## **Mitigating Factors**

### **Post-Offense Behavior:**

1. Engaged in screening process in the county jail to assess for needs (LSI:SV);
2. Demonstrated willingness to seek and engage in treatment;
3. Demonstrated improvement in treatment since the time of the offense;
4. Paid restitution and/or made a good faith effort to begin repayment of restitution to the victim;
5. Demonstrated compliance with all Pre-Trial conditions ;
6. Currently engaged in community based supervision and/or treatment services consistent with a validated risk and needs assessment;
7. Current living environment provides an appropriate level of stability;
8. Current living environment is supportive of offense-specific interventions which does not enable continued criminal or unlawful conduct;
9. Demonstrated engagement in pro-social relationships;
10. Demonstrated participation in pro-social community activities;
11. Demonstrated maintenance of relationships with others who provide positive support and model pro-social behavior;
12. Demonstrated positive educational or employment progress.

### **Mental Impairment/Age/Maturity (not otherwise deemed incompetent or mentally ill):**

1. Psychological evaluation, mental health assessment, psychiatric evaluation, or other validated assessment indicates some level of mental impairment;
2. Demonstrable evidence that offender did not fully appreciate the impact or nature of the criminal conduct.

### **Crime-Free Gap:**

1. Demonstrated crime-free gap of 2+ years since termination of probation, parole, or completion of sentence of incarceration in jail or prison.